

intention to offer a resolution which raises a question of the privileges of the House. The form of the resolution is as follows:

Whereas rule IX of the Rules of the House of Representatives provides that questions of privilege shall arise whenever the rights of the House collectively or the Members individually in their representative capacity are affected;

Whereas under the precedents, customs, and traditions of the House pursuant to rule IX, a question of privilege has arisen in cases involving the constitutional prerogatives of the House and of Members of the House; and

Whereas the House is prepared to consider a resolution impeaching the President, and the Delegate to the Congress from the District of Columbia seeks to assert the constitutional prerogative to cast a vote in the consideration of the resolution: Now, therefore, be it

Resolved,

SECTION 1. PROVIDING VOTE FOR DELEGATE FROM THE DISTRICT OF COLUMBIA IN CONSIDERATION OF PRESIDENTIAL IMPEACHMENT RESOLUTIONS.

Pursuant to section 2 of article I of the Constitution and the twenty-third article of amendment thereto granting the people of the District of Columbia the right to vote in presidential elections, the Delegate to the Congress from the District of Columbia shall be permitted to cast a vote in the House of Representatives in the same manner as a member of the House in the consideration by the House of any resolution impeaching the President or Vice President of the United States.

SEC. 2. EFFECTIVE DATE.

Section 1 shall apply with respect to any resolution impeaching the President or Vice President of the United States that is considered by the House of Representatives after the adoption of this resolution.

The SPEAKER pro tempore (Mr. LAHOOD). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from the District of Columbia (Ms. NORTON) will appear in the RECORD at this point. The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

□ 1500

LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the gentleman from Texas is recognized for 1 minute.

There was no objection.

Mr. ARMEY. Mr. Speaker, I asked for this 1 minute for purposes of discussing the calendar for the remainder of the week.

Mr. Speaker, of course, as we all know, we have been called back to

Washington in this session late in the year for the purpose of considering House Resolution 611. There is, of course, a uniform agreement across the country and between both sides of the aisle, as well as the White House, that the Congress fulfill this constitutional responsibility as soon as possible. We have been called upon to do so on so many times. And so, Mr. Speaker, you were quite right to call us back to take this up.

As you know further, Mr. Speaker, prior to your calling us back to town and prior to our taking up this resolution, we became engaged in hostile activities with Iraq. The House, quite appropriately, yesterday made the decision that we would devote today to a time where we would give deference to that activity and give or pay our respects and our tribute, exhibit our support for our troops in that activity. I am very gratified to tell you, Mr. Speaker, that it has been a very broad based bipartisan tribute to our troops and pledge of support to our troops' activity, but as those troops are engaged now, even now, defending the freedoms of this great Nation and the Constitution of this Nation, they have a right to know that the work of the Nation goes forward.

In consideration of this it is our intention, Mr. Speaker, to begin consideration of House Resolution 611 at 10 o'clock tomorrow morning. Should we do so under the regular order of the House, as has been the basis by which we have considered each resolution of impeachment brought to the House ever in the history of the Nation, there would be within the rules of the House that have prevailed for the last 200 years only a very limited time for debate. All of us in this body on both side of the aisle feel that that limited period of time is insufficient. Consequently we have worked very hard trying to reach an agreement by which we might have had a unanimous consent request to extend that time of debate. Had we been able to come to agreement on unanimous consent, we would have been able to proceed tomorrow at 10 o'clock, debate the resolution from 10 o'clock to 4 o'clock Saturday morning, giving all Members an opportunity to express their point of view on the matter. The debate would have been equally divided between the chairman, the gentleman from Illinois (Mr. HYDE), and the ranking member, the gentleman from Michigan (Mr. CONYERS), of the Committee on the Judiciary. On Saturday, 9:30 a.m., there would have been a quorum call, and at 10 a.m. there would have been a period of wrap up speeches for approximately one-half hour. After that, the minority would have offered a motion to recommend, perhaps, which would have been their right, and we would have allowed 10 minutes of debate on that motion for both sides, and we would have tried to complete this important work on Saturday afternoon so that in fact the need of this Nation for this to be completed would have been fulfilled.

Unfortunately, we are not able to gain that unanimous consent agreement, and therefore we must proceed at the outset tomorrow under the regular order with the limited time. We will between now and 10 a.m. tomorrow work diligently with the minority to try to find perhaps another agreement that might be able to in an orderly fashion extend the debate time in the interests of all Members wanting to participate. If we are not able to get that, there are prerogatives that rest with us by which, perhaps, we might even still be able to, and certainly the majority is willing to use those prerogatives to extend the debate time for a matter of this consequence.

I am presuming that the debate would go in an orderly manner with a demeanor that befits the stature of this great legislative body. We would exercise those prerogatives on behalf of all Members, but, as it stands now, Mr. Speaker, I am afraid that we must proceed tomorrow morning at 10 a.m., and we must proceed under the regular order of the House.

As I have said before, we will do everything we can on behalf of all Members wishing to participate to find some manner either by agreement and unanimous consent or by that exercise of the prerogatives of the body available to us under the rules of the House to afford more Members an opportunity to participate in this debate.

So that being the case, Mr. Speaker, it is my duty to inform Members that we will proceed tomorrow at 9 a.m. under regular order, and we will do so with the hope that perhaps we can extend this debate time to some reasonable measure.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. LIVINGSTON), the distinguished chairman of the Committee on Appropriations and Speaker-elect.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I appreciate the distinguished majority leader yielding to me, and I would hope that the Members of the minority might reconsider their position on this unanimous consent request because I think it is a reasonable one which would afford all Members the opportunity to discuss this very important subject. I think the concerns of the minority will be expressed by the distinguished minority leader shortly, and anticipation of his argument is that we are carrying on this activity at the same time as our troops are in the field, and that is true. For that very reason we adjourn today, canceled our plans to bring the issue of impeachment before the floor of the House today, as was planned and which was the reason that all Members are here at this time solely because the President has deployed the troops as recently as yesterday evening.

Mr. Speaker, I had the opportunity of speaking with the President yesterday,

the day before and today, and I understand that the initial reports are that our troops are doing an outstanding job. Our hearts and best wishes and prayers go with all the troops, and may they all return safely and sound having completed their mission in a full and successful manner. But in order for the House to simply close down its constitutional responsibility and its role in compliance with its agreement under both Republican and Democrat resolutions back in August or September when we were dealing with the Committee on the Judiciary prospective report, the fact is that we really must go forward tomorrow.

When the Special Counsel had concluded his business and made his recommendations to the Committee on the Judiciary and the referrals were made by this House by a vote of virtually almost all of the Members of the House to send the matter to the Committee on the Judiciary, virtually all Members said that if we have got to have this investigation, and admittedly it is not popular among many Members; if we have got to have this investigation, it should be completed by the end of the year. The Democrat resolution called for that, the Republican chairman of the Committee on the Judiciary said it was his intention to complete by the end of the year.

As a personal matter, I would like to finish it this year, and I can tell my colleagues that the gentleman from Georgia (Mr. GINGRICH) would rather not have it as the last item of his role as Speaker of the House.

This is a terribly unpopular measure. No one wants to deal with impeachment except that it is before us and we must deal with it, and the question is when we deal with it. Do we just anticipate that the troops in the field will complete their business by Ramadan or by a time certain or by Tuesday or by Christmas Day or by New Year's Day or by 2 weeks into January? How do we assess when that mission is going to be complete? There is no way to know when the troops will have completed their mission. There is no way to know whether or not Saddam Hussein in his mindless self absorption decides to lash out at American troops, at British troops, at Kuwait, at his neighbors anywhere in the Middle East. We cannot anticipate what Saddam Hussein will do, and yet we cannot refrain from advancing the people's business under this critical issue.

This is an issue of impeachment which has not been before this body in 120 years, if I recall correctly. Excuse me, with one exception. That was Richard Nixon. The committees entertained impeachment proceedings of Richard Nixon, and that happened at the end of the Vietnam War when troops, American troops, were deployed in the field in Vietnam, and yet the Democrat Congress at the time undertook the responsibility of impeaching Richard Nixon, but he resigned.

When President Bush called upon the majority of the Members of the House

of Representatives and the Senate to support him in his efforts to deploy troops to Desert Storm to combat Saddam Hussein just several years ago, fact is the troops were in the field weeks at a time. They prepared for months in order to accomplish Desert Storm, and then were actually in the field for many weeks. The Congress never wavered, the Congress never slowed down, the Congress conducted its constitutional responsibility, engaged in its activities while the troops were in the field.

And so we find ourselves in the waning days of the Calendar Year 1998 with the Judiciary chairman having committed that we would finish our business on this unpopular, undesirable issue before the end of the calendar year with virtually all of the Democrat members of the Committee on the Judiciary and virtually all of the Members of the House with some exceptions claiming that they wanted to complete this business by the end of the year, not let it drag on incessantly, not force the country to suffer under a cloud of impeachment. How often we hear the arguments now that if we impeach this President, that the cloud of impeachment will hang over the country into the weeks and months ahead as the Senate conducts deliberations.

Let us not proclaim or prolong the harm to the country by hanging this issue out in this body. Let us do our business. Yes, there are people outside the Capitol demanding action in one form or another. People are calling in and jamming our switchboards by demanding that we take action on one side or another. Let us disregard the outside influences and do our constitutional responsibility, which is to present the case of impeachment, and if a majority of the Members by their own consciences wish to vote for or against that issue of impeachment, let them cast their votes without pressure, without pressure from the majority, without pressure from the minority, without pressure from the White House. Let us debate the issue, let them cast their votes, do our constitutional responsibility, live up to exactly the principles for which our young people in the Armed Services are risking their lives at this very moment, and adjourn this 105th Congress, and send the issue to the United States Senate if it passes and let it die if it does not.

I urge my colleagues, reconsider the motion that was going to be promoted and promulgated by the majority leader. It provides for an orderly debate, it provides for us to engage in this issue without undo harangue, it provides for Members not to avoid the issue by procedural harangues and folderol, it allows us to face the issue head on. If it is meritorious it will pass, and if it is not, it will fail. We can go home and understand that we have done our constitutional responsibility, and the rest is either in our colleagues' hands or in God's hands or in the President's hands, but it will be simply ended for us.

I urge the minority leader to reconsider the position on the unanimous consent request.

□ 1515

Mr. ARMEY. Mr. Speaker, if I may reclaim my time just very briefly for one final point; and prior to that point, let me thank the gentleman from Louisiana for his comments. They were well taken.

Mr. Speaker, just this morning in the Oval Office of the White House, the President of the United States was asked with respect to the engagement of American military in Iraq. I quote: "Would it undercut your authority if the House opens the impeachment debate during this operation?"

The President's response, Mr. Speaker, was "No."

FURTHER LEGISLATIVE PROGRAM

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute.)

Mr. GEPHARDT. Mr. Speaker, first, the minority respects the right of the majority to decide the agenda and decide when we will vote on important matters like the one that is to be before us tomorrow. The minority also wants debate and wants as much debate as we can have so that Members can express their views on this very important subject. The minority also wants this to be completed this year if at all possible. We have said that over and over again. I agree with those views.

But I must say that we strongly object to this matter coming up tomorrow or the next day or any day in which our young men and women in the military are in harm's way protecting the interests of the people of the United States.

I would simply say the reason we believe that and we believe it strongly is that we think, we must think, not only of how this activity will be received by Members or other Americans around the country, we believe we have got to also look at how Saddam Hussein will perceive the idea and the information that, while he is under physical attack by the United States and its people, we are having a debate in our House of Representatives to remove the Commander in Chief from his office. I do not think we can assume that Saddam Hussein understands all the nuances and all the facts surrounding this debate and this activity.

We also have to ask how this will be received by the Russians, how it will be received by the British, how it will be received by the French, the Chinese, and people all across this world, that we are seeking to ally ourselves with or to at least get their understanding and their help and their cooperation as we go through this very difficult activity.

Mr. SKELTON. Mr. Speaker, will the gentleman yield at that point?

Mr. GEPHARDT. I yield to the gentleman from Missouri.